

**State of Rhode Island and Providence Plantations
Rhode Island State Pilotage Commission
Department of Environmental Management
235 Promenade Street
Providence, RI 02908**

**Proposed Minutes of the Rhode Island State Pilotage Commission
Meeting**

235 Promenade Street, Providence, RI

Held on November 2, 2006

Members in attendance:

Michael Scanlon, Chair

Captain E. Howard McVay, Jr., Member

Captain J. Peter Fritz, Member

Member(s) excused from attendance:

Larry Mouradjian, Member

Others in attendance:

Gary Powers, Legal Counsel to the Commission

Virginia MacCoy, Recording Secretary

Quorum being present, the Chair called the Meeting to order at approximately 9:35 a.m. The Minutes of the October 5, 2006 meeting were approved by assent.

Under old business:

1. The proposed decision of the Commission relative to the February 10, 2005 grounding of the M/V Mantenha was unanimously approved by the Commission. The Commission directed that on November 3rd, Attorney Powers mail to Captain Kenneth H. Warner a copy of the Commission's Decision regarding the February 10, 2005 grounding of the M/V Mantenha along with a cover letter setting out the procedure to be employed if he desires a full hearing before the Commission. The Commission further directed that a copy of the decision and cover letter be faxed to Captain Warner's attorney, William Hewig.

2. There was nothing new to report regarding multi-state pilotage commission meetings.

3. Commissioner McVay updated the Commission about the following apprentice pilots:

a. Captain Vince Kirby is due to go from 32' to 34' draft vessels.

b. Captain Keith Kelsey and Captain Richard Astles continue their progress for a Narragansett Bay license.

c. Captain Alex Soukhamouav is in training for his Block Island Sound and Narragansett Bay licenses.

4. Attached is a letter sent by Chairman Scanlon to Captain John F. Hadley regarding his retirement as a Rhode Island Pilot. As of this date there has been no response from Captain Hadley regarding the return of any state owned equipment he may possess. Chairman Scanlon will send a sterner letter to Captain Hadley regarding this matter.

New Business:

1. Commissioner McVay reported on a cruise ship, which was in and out of Newport numerous times this past fall and did not allow the pilot to “con” the vessel. Instead the pilot was only permitted to advise the bridge team.

a. Several pilots have brought to the attention of Commissioner McVay some potential problems that might be caused due to their inability to have the con. Commissioner McVay presented the following questions to the Commission:

i. Was pilot doing his job by not conning but watching.

ii. Will this set a precedent.

b. The Chair suggested that Rhode Island law appears to be ambiguous on this issue and therefore the Commission needs to take a closer look at the law.

2. On October 23rd Merchant Mariner Physical Examination Report forms were

sent to all pilots. As of today the Commission has received two completed forms.

3. Commissioner McVay brought up the Boston Harbor Pilot proposed

legislation for licensing docking pilots.

a. The control of the license would be the tugboat company and not the commission. This may cause a conflict of interest impacting over safety issues.

4. The Chair stated that anyone who has items they would like

included in the Commission's agenda is to email Ginny MacCoy, Recording Secretary of the Pilotage Commission.

a. A copy of the agenda will be posted on the Secretary of State website and in the office of Coastal Resources.

b. The approved minutes of the Pilotage Commission will be posted on the Secretary of State website.

NEXT SCHEDULED MEETING

The Commission plans to hold its next regularly scheduled meeting in the Conference Room of the Division of Law Enforcement at DEM Headquarters located at 235 Promenade Street, Providence, RI on December 7, 2006 starting at 9:30 a.m.

Respectfully submitted,

Virginia MacCoy, Recording Secretary